

### REMARKS/ARGUMENTS

Claims 239-272 are pending in the present application. Claims 239-241, 244, 246-247, 256-258, 261, and 263-264 are amended herein. Applicant respectfully requests re-examination and re-consideration of pending claims 239-272, in view of the enclosed amendments and the following remarks.

#### I. Objections to Claim 239

The Examiner has objected to claim 239 based on minor informalities. Applicant has amended claim 239 as suggested by the Examiner. Applicant submits that the Examiner's objection is thereby obviated.

#### II. Rejection of Claims 239 and 256 Based on 35 U.S.C. 102(e)

The Examiner has rejected independent claims 239 and 256 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 4,752,950 to Le Carpenter. Applicant respectfully disagrees for at least the following reasons. Le Carpenter does not teach or suggest, let alone anticipate: (1) client systems configured to send a postage request or a server system configured to receive a postage request from client systems; (2) a server system configured to send postage indicia data to client systems in response to the postage request; or (3) an administrator

system software configured to provide one or more reports about user transactions occurring at the server system.

Le Carpenter discloses a system for aggregating register information from multiple franking machines. At col. 2, lines 58-61, Le Carpenter teaches that the franking machine functions independently of the local station to which it is connected. The franking machines of Le Carpenter perform their own metering, so according to Le Carpenter's teachings, there would be no need fulfilled or benefit obtained by the franking machines sending a postage request to the local station. Le Carpenter fails to disclose any mechanism by which a franking machine would make such requests, or any reason for which a local station might receive them.

Further, Le Carpenter fails to teach or suggest transmitting postage indicia data to the franking machines. Because the franking machines of Le Carpenter generate their own printing data from internal registers, there is no motivation for the local station to send postage indicia data to the franking machines.

Also, because the franking machine is independent of the local station, Le Carpenter fails to teach or suggest the existence of user transactions occurring at a server system. Le Carpenter thus cannot be said to teach or suggest, let alone anticipate, providing reports about user transactions occurring at a server system.

For at least the foregoing reasons, Applicant submits that Le Carpenter fails to teach or suggest, let alone anticipate, the invention embodiments recited in independent claims 239 and 256. The rejection being obviated, Applicant submits that claims 239 and 256 are allowable over the cited art. Further, dependent claims 240-245 and 257-262, being dependent upon allowable base claims, are also allowable for at least the foregoing reasons.

III. Rejection of Claims 246 and 263 Based on 35 U.S.C. § 102(e)

The Examiner has rejected claims 246 and 263 based on 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 4,853,865 to Sansone. Applicant respectfully disagrees for at least the following reasons. Sansone fails to teach or suggest, let alone anticipate: (1) a server configured to receive postage requests from multiple client systems and send postage indicia data to multiple client systems; (2) a database in the server system, which stores account information of multiple users; or (3) responding to an account request from a client system by retrieving from the database on the server system stored account information associated with a user of the client system and providing that information to the client system.

Sansone describes a batch mailing system including a server and a central location. The server receives input information for addressing envelopes, insert

placement, and franking a batch of mail. That information is used by the server to control a printer that prints address information and a batch franking label on each envelope. The server of Sansone thus prints the postage indicia itself, rather than sending postage indicia data to a client system, as is recited in claims 246 and 263. Further, the server of Sansone works in conjunction with an input processor to control the batch insertion and franking process machinery at one user location. In contrast, the claimed invention is configured to provide postage indicia data for multiple client systems that are configured to print postage indicia.

Because Sansone's server is associated with a single location, Sansone does not teach or suggest having a database that stores account information for multiple users, where that database resides in the server system that is configured to provide postage indicia data. Likewise, Sansone does not teach or suggest any mechanism to support receiving an account request from a client system and retrieving corresponding account information from such a database, as is provided in the invention embodiments of claims 246 and 263.

For at least the foregoing reasons, Applicant submits that Sansone fails to teach or suggest, let alone anticipate, the invention embodiments recited in independent claims 246 and 263. The rejection being obviated, Applicant submits that claims 246 and 263 are allowable over the cited art.

IV. Rejection of Claims 240-245, 247-255, 257-262 and 264-272

Based on 35 U.S.C. § 103

The Examiner has rejected claims 240-245, 247-255, 257-262 and 264-272 based on 35 U.S.C. § 103 as being unpatentable over Sansone in view of Le Carpenter. Applicant respectfully disagrees.

Applicant submits that claims 240-245 and 257-262 are allowable for at least the reasons provided in section II, with respect to independent claims 239 and 256. In addition, Sansone fails to teach or suggest a server system in communication with multiple client systems, where the server system provides postage indicia data to the client systems (see section III above).

With respect to "flat files", Applicant submits that the Examiner's designation of nonfunctional descriptive material is incorrect for the elements associated with flat files. Nonfunctional descriptive material is a label applied to claim language that recites a result rather than a structure or process (often recited in a "whereby" clause). Claim 242 recites the further limitation that the server system provides information to one or more postal service systems as one or more flat files, as well as the limitation that the administrator system software further comprises a flat file access module. The first limitation is appropriate functional claim language, whereas the second limitation is clearly a structural element. Likewise, in claim 259, the references to flat files are part of proper

process claim language, and must be given weight in consideration of patentability.

Applicant disagrees with the extent of official notice taken with respect to the Internet. Applicant agrees that the Internet was known at the time of the invention. However, Applicant does not agree that the existence of the Internet renders obvious the manner and mechanisms by which a system must be modified in order to communicate over the Internet. Also, the Internet may not be consistent with the system of the prior art, and thus its use would not be obvious. For example, Applicant submits that the use of the Internet for communications between client systems and the server in Sansone is unobvious because what represents a client system with respect to the server is unclear. No client mechanism is described that would benefit from the use of the Internet. Use of the Internet would thus be unobvious.

With respect to claims 247 and 264, Applicant submits that the combination of Sansone and Le Carpenter fails to teach or suggest the claimed embodiments for at least the following reasons: (1) as discussed in sections II and III above, neither Sansone nor Le Carpenter teach or suggest a server system communicating with multiple client systems, where the server system provides postage indicia in response to a postage request from a client system; (2) neither reference teaches or suggests a server system that provides postage indicia to a

client system also comprises a postal service interface as claimed. Le Carpenter does not teach such a server, and Sansone's "server" does not interface with the postal service system.

For at least the foregoing reasons, Applicant submits that independent claims 247 and 264 are allowable over the cited references. In addition, dependent claims 248-255 and 265-272, being dependent upon allowable base claims, are also allowable for at least the foregoing reasons.

V. Conclusion

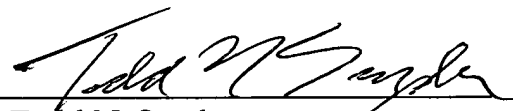
For the foregoing reasons, Applicant submits that the Examiner's objections and rejections of the pending claims have been obviated or traversed. The present application is therefore in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

THE HECKER LAW GROUP

Date: September 20, 2004

By: \_\_\_\_\_

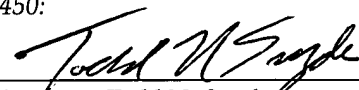


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